

Questions for the Record Submitted to  
Mr. Michael Callahan by  
Representative Christopher Smith, and Representative Thomas Tancredo  
Subcommittees on Africa, Global Human Rights, and International Operations and Asia  
and Pacific  
For the Hearing:  
“The Internet in China: A Tool for Freedom or Suppression?”  
Wednesday, February 15, 2006

1. How many requests on a daily or weekly average does Yahoo! receive to censor content, provide information about users, remove web logs, or update or fine tune filtering equipment?
  - Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. As a strategic partner and investor in Alibaba.com, Yahoo! Inc. does not have day-to-day operational control over the business in China. Thus, the records pertaining to these issues are not under Yahoo! Inc.’s control.
2. Describe the legal process by which Yahoo! receives a request to censor or provide electronic information. What documents does the government of China present and how specific are the documents?
  - The procedure that Yahoo! China utilized when Yahoo! Inc. had operational control of the China business prior to October 2005, was that Yahoo! China responded only to officers authorized by their respective law enforcement agencies to submit a law enforcement demand. Yahoo! China required the information demand to be in writing on official law enforcement letterhead with official agency seal. Yahoo! China only provided information as legally required to comply with government demands and construed demands in the narrowest way possible to avoid revealing any unnecessary information about our users while still complying with the legal demand. A demand was always for specific information relating to an exact user ID.
3. Describe the established procedures for handling Chinese requests for censorship and Yahoo user personal information? Are there requests for clarification? Are there automatic referrals to U.S. headquarters/legal counsel? Are there legal appeals?
  - When Yahoo! China had operational control of the China business prior to October 2005, Yahoo! China employed a rigorous process for responding to such demands. Yahoo! China responded only to officers authorized by their respective law enforcement agencies to submit a law enforcement demand.

Yahoo! China required the information demand to be in writing on official law enforcement letterhead with official agency seal. Yahoo! China only provided information as legally required to comply with government demands and construed demands in the narrowest way possible to avoid revealing any unnecessary information about our users while still complying with the legal demand. Unfortunately, to our knowledge, there is no process for appealing such a demand in China. PRC law gives law enforcement authorities the right to demand and receive user information in the exercise of their investigative powers. These matters were dealt with by legal counsel in the Beijing office and were not referred to U.S. headquarters.

4. In what circumstances would you refuse a Chinese request?

- When Yahoo! China had operational control of the China business prior to October 2005, Yahoo! China's process required that law enforcement provide such demands in writing from specific, authorized officers. Arbitrary and extra-legal demands were not complied with by Yahoo! China.

5. Please provide the list of words and web sites the PRC provides you with to censor or block access to.

- Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. As a strategic partner and investor in Alibaba.com, Yahoo! Inc. does not have day-to-day operational control over the business in China. Thus, any records pertaining to these issues are not under Yahoo! Inc.'s control.

6. Has Yahoo been required by the government of China to censor information regarding China's one-child policy?

- To the best of our knowledge, when Yahoo! China had operational control of the China business prior to October 2005, Yahoo! China was not specifically required to filter information regarding China's one-child policy.

7. Is Yahoo depositing a long-term cookie on Chinese users' computers, if the computer is configured to accept cookies?

- Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. As a strategic partner and investor in Alibaba.com, Yahoo! Inc does not have day-to-day operational control over the business in China. Thus, Yahoo! Inc. does not make any decisions related to whether or not cookies are deposited on Chinese users' computers by any Yahoo! China service.

8. When do the Yahoo cookies expire?

- Since Yahoo! Inc. does not have operational control of the business in China, Yahoo! Inc. does not make any decisions related to cookies on the Yahoo! China service.

9. Are you logging user IP addresses?

- Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. Thus, Yahoo! Inc. is not logging user IP addresses in China for the Yahoo! China service.

10. Are user IP addresses matched to the cookie, or can they be?

- Technically, IP addresses can be matched to a cookie. Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. Therefore, operational decisions of this kind would be made by Alibaba.

11. Are users' search terms logged by IP address?

- Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. Therefore, operational decisions of this kind would be made by Alibaba.

12. Are users' search terms logged by cookie ID?

- Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. Therefore, operational decisions of this kind would be made by Alibaba.

13. Can users' search terms be tied to either a cookie or an IP address?

- Technically, search terms can be matched to a cookie. Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. Therefore, operational decisions of this kind would be made by Alibaba.

14. Are users' search terms tied to their email accounts, if they have a Yahoo email account?

- Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. Therefore, operational decisions of this kind would be made by Alibaba.

15. How long is Yahoo storing logged IP addresses?

- Yahoo! Inc. merged its operations in China with Alibaba.com in October 2005, and the Alibaba.com management team currently runs the business. Thus, Yahoo! Inc. does not store logged IP addresses in China.